



Authorized Treatment of Universal Waste Electronic Devices  
Department Reference Number: R-2006-02  
Page 1

Authorized Treatment of Universal Waste Electronic Devices (UWED)  
Department Reference Number: R-2006-02  
Proposed Emergency Regulations

**Legend:** Changes are shown from the existing text of California Code of Regulations, title 22, as follows:

Single underline (single underline) = Additions to the preexisting text, added by the initial emergency regulation package, OAL Reference Number: 04-0526-01E.

Single strikeout (~~single strikeout~~) = Deletions to the preexisting text, deleted by the initial emergency regulation package, OAL Reference Number: 04-0526-01E.

Double underline (double underline) = Additions to the emergency text, added by the second emergency regulation package, OAL Reference Number: 04-1216-03E.

Double strikeout (~~double strikeout~~) = Deletions to the emergency text, deleted by the second emergency regulation package, OAL Reference Number: 04-1216-03E.

Single underline and double strikeout (~~Single underline and double strikeout~~) = Changes to the regulatory text that were (both) added by the initial emergency regulation package and deleted by the second emergency regulation package.\*

Italic text bold-underlined (***italic***) = Changes to the text added by the third emergency regulation package, OAL Reference Number: 05-0401-21E. It is not DTSC's intention to have this text appear in italics in title 22. (Applies to section 66260.201 only)

Italic text stricken out (~~*italic/strikeout*~~) = Changes to the text deleted by the third emergency regulation package, OAL Reference Number: 05-0401-21E.\*\* (Applies to section 66260.201 only)

Double underline italic (*double underline italic*) = Additions to the emergency text, added by this emergency regulation package, OAL Reference Number: 06-0524-02E.

\*Note: Text that was added by the first emergency and deleted by the second emergency appears (in this document) as ~~AA BBBB CCCCC DDDDD~~. As this text was deleted by a later emergency, it should not appear in title 22 after this re-adoption even though it is underlined.

\*\*Note: Text that was added by either the first or second emergency regulation package and that was deleted by the third emergency regulation package appears as ~~aa bbb cccc~~ or ~~aa bbb cccc~~, respectively. As this text was deleted by a later emergency, it should not appear in title 22 after this re-adoption even though it is underlined.

**Amend §66260.10 to read:**

**66260.10 Definitions.**

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“Cargo tank” means any tank permanently attached to, or a structural part of, a vehicle; or any bulk liquid or compressed gas packaging that is not permanently attached to a vehicle and by reason of its size, construction or method of attachment is filled or emptied without removal from the vehicle. The term does not include tanks that furnish fuel for propulsion of motor vehicle, or auxiliary equipment on which they are installed or any packaging fabricated to cylinder specifications.

“Cathode ray tube” or “CRT” means a vacuum tube or picture tube used to convert an electrical signal into a visual image.

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“Covered container” means any container which is equipped with a cover or other device that will prevent the escape of a liquid or solid substance when closed.

“Covered electronic device” has the same meaning as Public Resource Code section 42463(f)(1).

“Covered electronic waste” has the same meaning as Public Resource Code section 42463(g).

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“Land treatment facility” means a facility or part of a facility at which hazardous waste is applied onto or incorporated into the soil surface so that hazardous constituents are degraded, transformed or immobilized within the treatment zone. Such facilities are disposal facilities if the waste will remain after closure.

“LCD with a mercury-containing lamp” means a liquid crystal display illuminated by mercury-containing back lighting.

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Note: Authority cited: Sections 25141, 25150, 25158.1, 25158.4, 25159, 25159.5, 25187.7, 25200.10, 25204, 25214.9, 25214.10.2, 25218.3(d), 25316, 25355.5, 25356.9, 25358.3, 25358.9 and 58012, Health and Safety Code; Governor’s Reorganizational Plan #1 of 1991; and Sections 42475.1 and 42475.2, Public Resources Code.

Reference: Sections 25110.02, 25110.1, 25110.5, 25111, 25112, 25112.5, 25113, 25114, 25115, 25117, 25117.1, 25117.3, 25117.8, 25117.9, 25117.11, 25118, 25119, 25120, 25121, 25121.5, 25122.7, 25123, 25123.3, 25123.5, 25123.6, 25141, 25150, 25158.2, 25159, 25159.5, 25187.7, 25200.10, 25201.6, 25204, 25214.9, 25218.1(f), 25218.3, 25229, 25316, 25361, 25501, 25529 and 58012, Health and Safety Code;

Authorized Treatment of Universal Waste Electronic Devices  
Department Reference Number: R-2006-02  
Page 3

Section 42463(f)(1), Public Resources Code and 40 CFR Section 260.10, 261.1, 264.552, 264.1031, 268.2, 270.2 and 273.6.

Add §66260.201 to read:

**§66260.201 Classification of an Electronic Device as a Covered Electronic Device**

(a) ~~An~~ Subsequent to the dates set forth in Health and Safety Code section 25214.10.1, subdivision (d)(1) or (2) as appropriate, an electronic device that is listed in subdivision (c) of Appendix X to Chapter 11 shall be managed as a "covered electronic device" under chapter 8.5 of part 3 of division 30 of the Public Resources Code (section 42460 et seq.) unless the manufacturer of the device has obtained the Department's concurrence that the device is nonhazardous pursuant to subsection (d). Upon issuance of the department's concurrence, the electronic device shall cease to be a covered electronic device. Health and Safety Code section 25214.10.1, subdivision (e)(1) prescribes the date on which the device is no longer subject to management under chapter 8.5.

(b)(1) Each manufacturer of electronic devices sold in the State shall determine if it produces any device(s) of the types listed in subdivision (c) of Appendix X of Chapter 11, and if so, shall ~~send notices~~ *send an annual notice* to retailers and the Board of Equalization pursuant to Health and Safety Code section 25214.10.1, subdivision (c)(1) and (c)(2). ~~designate those devices covered electronic devices for its retailers in the State. Commencing January 01, 2005, a manufacturer of one or more covered electronic devices shall, by April 01 of each calendar year, provide a list of covered electronic devices produced by the manufacturer to all its retailers of those devices in the State. If a manufacturer subsequently distributes any covered electronic device that was not included in the notice which is not on the list the manufacturer provided to its retailers during the first quarter of the calendar year, or if a manufacturer did not previously provide a list notice, the manufacturer shall notify each retailer to which the manufacturer distributes the covered electronic device(s) at least ten days prior to distributing the covered electronic device(s). The notice shall include all covered electronic devices listed in Appendix X of Chapter 11 that are manufactured by the manufacturer and shall include the information specified in subsection (b)(3) below.~~

(2) A manufacturer who distributes any covered electronic device for which a notice was not provided as required in subsection (b)(1), shall provide the notice to the retailer(s) no later than the date the retailer(s) first receives the covered electronic device. A manufacturer who provides a notice pursuant to subsection (b)(2) remains subject to penalties for any noncompliance with subsection (b)(1) above.

(2)(3) The identification of the covered electronic devices in the notice shall include: ~~The list shall contain the following information:~~

(A) The brand name (or brand names) of each of the covered electronic devices.

(B) A general description of each of the covered electronic devices (e.g., CRT-television, laptop computer, LCD monitor, etc.).

(C) ~~The model number for each of the covered electronic devices, and viewable screen size for each covered electronic device. As used in this section, viewable screen~~

size means the diagonal measurement of the output surface, as viewed by the operator of the covered electronic device, excluding any plastic, wood, metal, or other bezel material that surrounds the video display surface.

(D) ~~The size of the screen or CRT in each of the covered electronic devices. At least one of the following: the product group or family, model number or series, part number or series, or a similar descriptor for each covered electronic device that will enable the retailers to determine that the electronic device is a covered electronic device. For example, a notification could include a statement such as "All (brand name) XYZ series, 15-inch through 21-inch, LCD-desktop computer monitors and all bundled computer systems containing these monitors."~~ rather than delineating each XYZ monitor individually.

(c) A manufacturer who incorrectly determines that a product it produces is not a listed device or fails to make a notification pursuant to this subsection is in violation of the requirements of this division.

(d) A manufacturer may determine that it produces an electronic device that is listed in subdivision (c) of Appendix X of Chapter 11 that is nonhazardous and apply to the Department for concurrence with its non-hazardous determination through the procedure set forth in section 66260.200(d).

Note: Authority cited: Sections 25140, 25141, ~~and~~ 25214.9, and 25214.10.2, Health and Safety Code and Sections 42475, ~~42475.1~~ and 42475.2, Public Resources Code.  
Reference: Sections 25140, 25141, ~~and~~ 25214.9 and 25214.10.1, Health and Safety Code and Sections 42463(f)(1) and 42464, Public Resources Code.

**Amend** §66261.9 to read:

**§66261.9. Requirements for Universal Waste.**

(a) The hazardous wastes listed in this section are exempt from the management requirements of chapter 6.5 of division 20 of the California Health and Safety Code and its implementing regulations except as specified in chapter 23 and, therefore, are not fully regulated as hazardous waste. The wastes listed in this section are subject to regulation under chapter 23 and shall be known as “universal waste.”

- (1) Batteries as described in section 66273.2;
- (2) Thermostats as described in section 66273.4;
- (3) Lamps as described in section 66273.5 (including, but not limited to, M003 wastes);
- (4) Cathode ray tube materials, as described in section 66273.6;
- (5) ~~Consumer~~ Universal waste electronic devices as described in section 66273.3;

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Note: Authority cited: Sections 25141, 25150, 25150.6, 25201, 25214.9, 25214.10.2, 25219.1 and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25117.2, 25141, 25150, 25159.5, 25180-25196, 25214.5, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 261.9.

**Amend** Appendix X to chapter 11 read:

**Appendix X**  
**List of Chemical Names and Common Names for Hazardous**  
**Wastes and Hazardous Materials**

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Waste epoxides (X, I)  
Waste (or slop) oil (X)  
Weed Killer (X)

(c) This subdivision sets forth a list of electronic wastes that are presumed to be hazardous wastes unless it is determined that the electronic waste is not a hazardous waste pursuant to the procedures set forth in section 66262.11. The hazardous characteristics that serve as a basis for listing the common names of electronic wastes are indicated in the list as follows: (X) toxic, (C) corrosive, (I) ignitable, (R) reactive. For purposes of Health and Safety Code section 25214.10.1, devices marked with a pound symbol (#) were listed herein on or before July 1, 2004.

~~(X) toxic, (C) corrosive, (I) ignitable, (R) reactive.~~

# Cathode ray tube containing devices (CRT devices) with CRTs greater than four inches measured diagonally (X)

# Cathode ray tubes (CRTs) greater than four inches measured diagonally (X);

# Computer monitors containing cathode ray tubes greater than four inches measured diagonally (X)

# Laptop computers with liquid crystal display (LCD) screens greater than four inches measured diagonally (X)

# LCD containing desktop monitors greater than four inches measured diagonally (X)

# Televisions containing cathode ray tubes greater than four inches measured diagonally (X)

Televisions containing liquid crystal display (LCD) screens greater than four inches measured diagonally (X) (added December 2004)

Plasma televisions with screens greater than four inches measured diagonally (X) (added December 2004)

Note: Authority cited: Sections 208, 25140, and 25141, and 25214.9, 25214.10.1 and 25214.10.2, Health and Safety Code; and Sections 42475, 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25115, 25117, 25140, and 25141, and 25214.9 and 25214.10.1, Health and Safety Code; and Section 42463, Public Resources Code.

**Amend** §66273.1 to read:

**§66273.1. Scope.**

- (a) This chapter establishes requirements for managing the following:
- (1) Batteries as described in section 66273.2;
  - (2) Thermostats as described in section 66273.4;
  - (3) Lamps as described in section 66273.5 (including, but not limited to, M003 Wastes);
  - (4) Cathode ray tube materials as described in section 66273.6;
  - (5) ~~Consumer~~ Universal waste electronic devices as described in section 66273.3;
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Note: Authority cited: Sections 25141, 25150, 25150.6, 25201, 25214.9, 25214.10.2, 25219.1 and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25212, 25214.6, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.1.



**Amend §66273.3 to read:**

**§66273.3. Applicability—~~Consumer~~ Electronic Devices.**

- (a) ~~Consumer~~ Universal waste electronic devices covered under chapter 23.
- (1) The requirements of this chapter apply to persons managing ~~consumer~~ electronic devices, as described in section 66273.9, except those listed in subsection (b) of this section.
- (2) Discarded ~~consumer~~ electronic devices that are hazardous solely because the device exhibits the characteristic of toxicity specified in section 66261.24 may be managed as a universal waste.
- (b) ~~Consumer~~ Electronic devices not covered under chapter 23.
- The requirements of this chapter do not apply to persons managing the following ~~consumer~~ electronic devices:
- (1) ~~Consumer~~ Electronic devices that are not yet wastes under chapter 11. Subsection (c) of this section describes when ~~consumer~~ electronic devices become wastes.
- (2) ~~Consumer~~ Electronic devices that do not exhibit a characteristic of a hazardous waste as set forth in article 3 of chapter 11- and that are not otherwise identified as hazardous waste under chapter 11.
- (3) Electronic devices that exhibit any characteristic of a hazardous waste other than the characteristic of toxicity.
- (4) Electronic devices that are destined for disposal or are disposed to a class I landfill, in which case the universal waste electronic device shall be managed as hazardous waste under chapters 10 through 22.
- (5) Electronic devices that are managed as hazardous waste under chapters 10 through 22 of this division;
- (6) Electronic devices that are exempted pursuant to subsection 66273.8(c);
- (7) Electronic devices that were previously identified as waste under chapter 11, but are no longer identified as a waste (e.g., a discarded universal waste electronic device that is refurbished and is returned to service).
- (c) Generation of waste ~~consumer~~ electronic devices.
- (1) A used ~~consumer~~ electronic device becomes a waste on the date it is discarded (e.g., when sent for reclamation).
- (2) An unused ~~consumer~~ electronic device becomes a waste on the date the ~~handler~~ owner decides to discard it.

Note: Authority cited: Sections 25141, 25150, 25150.6, 25201, 25214.9, 25214.10.2, and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, and 25159.5, 25201 and 25214.9, Health and Safety Code.

**Amend** §66273.6 to read:

**§66273.6. Applicability--CRT Materials.**

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Note: Authority cited: Sections 25141, 25150, 25150.6, 25201, 25214.9, 25214.10.2,  
and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public  
Resources Code. Reference: Sections 25141, 25150 and 25159.5, 25201 and 25214.9,  
Health and Safety Code.

**Amend** §66273.8 to read:

**§66273.8. Exemptions.**

(a) Temporary disposal exemption for specific universal wastes.

(1) Through February, 2006, universal waste batteries, universal waste lamps and universal waste mercury thermostats, and universal waste ~~consumer~~ electronic devices produced by a household, as defined in section 66273.9, incidental to owning or leasing and maintaining a place of residence, are not classified as hazardous waste and may be managed as non-hazardous solid waste, provided the wastes are disposed in a landfill permitted to accept municipal solid waste or hazardous waste.

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(4) Through February 8, 2006, universal waste ~~consumer~~ electronic devices generated by conditionally exempt small quantity universal waste generators as defined in section 66273.9 may be managed as non-hazardous solid waste, provided the wastes are disposed in a landfill permitted to accept municipal solid waste or hazardous waste and the generator remains in compliance with subsections (a)(3)(B), (a)(3)(C), and (a)(3)(D) of this section.

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Note: Authority cited: Sections 25141, 25150, 25150.6, 25201, 25214.9, 25214.10.2, 25219.1 and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Sections 261.4, 261.5 and 273.8.

**Amend §66273.9 to read:**

**§66273.9. Definitions.**

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~~“Consumer Electronic Device” means any electronic device, or any component of an electronic device, including, but not limited to, computers, computer peripherals, telephones, answering machines, radios, stereo equipment, tape players/recorders, phonographs, video cassette players/recorders, compact disc players/recorders, calculators, and some appliances. An consumer electronic device does not include any CRT device as defined in this section, or any major appliance as defined in the Public Resources Code section 42166. The requirements of this chapter only apply to consumer electronic devices as described in section 66273.3(a) (i.e., those wastes that exhibit the characteristic of toxicity).~~

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~~“CRT material handler” means any person who generates, accumulates, stores, treats, or recycles any universal waste CRT material.~~

~~“CRT Material Transporter” means a person engaged in the off-site transportation of universal waste CRT materials by air, rail, highway, or water.~~

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~~“Lamp”, also referred to as “universal waste lamp” is defined as the bulb or tube portion of an electric lighting device. A lamp is specifically designed to produce radiant energy, most often in the ultraviolet, visible, and infra-red regions of the electromagnetic spectrum. Examples of common universal waste electric lamps include, but are not limited to, fluorescent, high intensity discharge, neon, mercury vapor, high pressure sodium, and metal halide lamps. “Lamp” does not include mercury-containing lamps used as back lighting in electronic devices that contain liquid crystal displays (LCDs).~~

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~~“LCD,” or “LCD with a mercury-containing lamp” means a liquid crystal display illuminated by mercury-containing back lighting.~~

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~~“On-site” means the same or geographically contiguous property which may be divided by public or private right-of-way, provided that the entrance and exit between the properties is at a cross-roads intersection, and access is by crossing as opposed to going along the right of way. Non-contiguous properties owned by the same person but connected by a right-of-way which he controls and to which the public does not have access, are also considered on-site property.~~

~~“PRC” means California Public Resources Code.~~

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~~“Universal Waste Handler”:~~

~~(a) Means:~~

(1) A generator (as defined in section 66260.10 and this section) of universal waste; or

(2) The owner or operator of a facility, including all contiguous property, that receives universal waste from other universal waste handlers, accumulates universal waste, and sends universal waste to another universal waste handler, to a destination facility, or to a foreign destination.

(b) Does not mean:

(1) A person who treats (except under the provisions of section 66273.13, section 66273.33, or section 66273.83~~(b) or (c)~~), disposes of, or recycles universal waste; or

(2) A person engaged in the off-site transportation of universal waste by air, rail, highway, or water, including a universal waste transfer facility.

(3) A CRT material handler, as defined in this section.

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Note: Authority cited: Sections 25141, 25150, 25214.6, 25150.6, 25201, 25214.9, 25214.10.2, 25219.1 and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25212, 25214.6, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Sections 261.4, 261.5, and 273.9.

**Amend** §66273.12 to read:

**§66273.12. Notification.**

A small quantity handler of universal waste is not required to notify the Department or the U.S. EPA of universal waste handling activities except as specified in section 66273.13(d) for small quantity universal waste electronic device handlers.

Note: Authority cited: Sections 25141, 25150, 25201, 25214.9, 25214.10.2, 25219.1 and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.12.

**Amend §66273.13 to read:**

**§66273.13. Waste Management.**

(a) ~~Universal waste batteries.~~ **Universal Waste Batteries.** A small quantity handler of universal waste shall manage universal waste batteries in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(b) ~~Universal waste thermostats.~~ **Universal Waste Thermostats.** A small quantity handler of universal waste shall manage universal waste thermostats in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(c) ~~Lamps~~ **Universal Waste Lamps.** A small quantity handler of universal waste shall manage lamps in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(d) ~~Consumer electronic devices.~~ **Universal Waste Electronic Devices.** A small quantity handler of universal waste shall manage ~~consumer-universal waste~~ electronic devices in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

**(1) Containment:**

(A) ~~A small quantity handler of universal waste shall contain~~ handle any universal waste consumer electronic devices in a manner containers or packages that are structurally sound, adequate to prevent breakage, and that minimizes breakage. compatible with the contents of the consumer electronic devices. If containers are used, ~~Such containers and packages shall prevent~~ lack evidence of leakage, spillage or damage that could cause leakage under reasonably be foreseen foreseeable conditions. Whole universal waste consumer electronic devices that are managed in a manner (e.g., stored in a room) that prevents breakage of the device and release of hazardous components of the device (e.g, shrink-wrapped on a pallet) shall be considered to comply with this requirement.

(2) ~~A small quantity handler of universal waste may disassemble a consumer electronic device provided the handler:~~

(A) ~~Removes only those discrete assemblies that are typically removed during the normal operation of the consumer electronic device, such as the removal and replacement of batteries or ink cartridges; and~~

(B) ~~Conducts the disassembly in the manner prescribed in the operating manual for the consumer electronic device, or that would otherwise be performed during the normal use of the consumer electronic device.~~

(B3) A small quantity handler of universal waste shall immediately clean up and place in a container any universal waste consumer-electronic device that is broken and may reasonably be expected to ~~and shall place in a container any consumer electronic device that shows evidence of breakage, leakage, or damage that could cause a~~ the release of hazardous constituents to the environment. Containers shall be closed, structurally sound, compatible with the contents of the universal waste consumer electronic devices and shall prevent ~~lack evidence of leakage, spillage or damage that could cause~~ releases of hazardous components to the environment under reasonably foreseeable conditions.

**(2) Notification and Reporting Requirements:**

**(A) Notification:** Any person who intends to handle any universal waste electronic devices from an offsite source after August 6, 2004 shall submit to the Department, by certified mail, with return receipt requested, a notification containing the information specified below no later than 30 days prior to accepting any universal waste electronic devices. Small quantity handlers currently handling universal waste electronic devices from offsite sources shall submit this notification prior to July 7, 2004.

1. Name of handler;
2. Telephone number of handler;
3. Type of handler for purposes of Public Resources Code, division 30, part 3, chapter 8.5 (i.e., collector, recycler, or dual entity);
4. Mailing address of handler, and physical address, including county, if different from the mailing address;
5. Name of the contact person;
6. Telephone number of the contact person;
7. An e-mail address for the contact person or organization, if available;
8. The types of universal waste electronic devices expected to be handled;
9. The sources of universal waste electronic devices (i.e., residential collections, business asset recovery, other collectors, etc.).

**(B) Annual Report.** A small quantity handler of universal waste electronic devices that accepts more than 100 kilograms or 220 pounds of universal waste electronic devices from any offsite source shall, by February 1 of each calendar year, commencing February 1, 2005, submit a written or electronic report containing the information specified below to the Department. The information submitted under this subsection shall cover universal waste electronic device handling activities during the previous calendar year.

1. Name of handler;
2. Telephone number of handler;
3. Mailing address of handler, and physical address, including county, if different from the mailing address;
4. Name of the contact person;
5. Telephone number of the contact person;
6. An e-mail address for the contact person or organization, if available;



- 7. The types of universal waste electronic devices handled;
- 8. The total quantity of universal waste electronic devices (count or weight) handled during the previous calendar year;
- 9. A list including the names, addresses, and phone numbers of each location that the small quantity handler shipped universal waste electronic devices to during the previous year and the total quantity of universal waste electronic devices (count or weight) shipped to each location.

(C) Electronic notifications and reports submitted under subsection (A) and (B) shall be submitted to [www.dtsc.ca.gov](http://www.dtsc.ca.gov).

(D) Written notifications and reports submitted under subsection (A) and (B) shall be submitted to the Department by certified mail, return receipt requested to: Department of Toxic Substances Control, Hazardous Waste Management Program, Regulatory and Program Development Division, P.O. Box 806, Sacramento, CA 95812-0806, with "Attention: UWED Handling Activities" prominently displayed on the front of the envelope.

(3) **Small Quantity Handler Standards:** A small quantity handler of universal waste electronic devices may treat or recycle the universal waste electronic devices (i.e., may conduct hazardous waste treatment) provided the handler complies with the applicable standards below:

(A) Notwithstanding subsections (B), (C), and (D) below, a small quantity handler of universal waste electronic devices may remove from the universal waste electronic devices any discrete assemblies which are typically removed during the normal operation of the universal waste electronic device, such as the removal and replacement of batteries or ink cartridges, provided the small quantity universal waste handler conducts the disassembly in the manner prescribed in the operating manual for the universal waste electronic device or that would otherwise be performed during the normal use of the universal waste electronic device.

(B) A small quantity handler of universal waste who recycles universal waste electronic devices by reclaiming components (e.g., circuit boards, integrated circuits, metals, plastic, wiring, batteries, lamps, etc.) from universal waste electronic devices through manual disassembly, dismantling, or otherwise manually segregating components from those devices for the purposes of directly reusing those components onsite without further processing, or sending those components offsite for direct reuse or further reclamation at another location shall comply with subsections (F)(1) through (F)(5) below.

(C) A small quantity handler of universal waste who recycles universal waste electronic devices (and their components) through the utilization of treatment processes other than manual disassembly for the purposes of directly reusing components onsite without further processing, sending components offsite for direct reuse, or sending components or treatment residuals offsite for further reclamation at another location, and whose recycling or treatment activities produces only hazardous residuals (including finely divided materials) that meet the definition of scrap metal in 66260.10, or

which are otherwise exempt from full regulation as hazardous waste, shall comply with subsections (F)(1) through (F)(6) below.

(D) A small quantity handler of universal waste who recycles universal waste electronic devices (and their components) through the utilization of treatment processes other than manual disassembly for the purposes of directly reusing components onsite without further processing, sending components offsite for direct reuse, or sending components or treatment residuals offsite for further reclamation at another location, and whose recycling or treatment processes produce any residuals (including baghouse and filter dusts) which exhibit any hazardous waste characteristic defined in chapter 11 and do not meet the definition of scrap metal in section 66260.10 (e.g., because they are fine powders or are contaminated with fine powders), or do not qualify for management as universal waste under this chapter shall comply with subsections (F)(1) through (F)(7) below.

(E) A small quantity handler of universal waste electronic devices who conducts treatment or recycling activities as described in subsections (A) through (D) above shall not be deemed to be operating pursuant to a permit-by-rule, conditional authorization, or conditional exemption.

(F) A small quantity handler of universal waste electronic devices who conducts treatment or recycling activities as described in subsections (B) through (D) shall comply with the following waste management standards, as applicable:

**1. Treatment/Recycling Notification and Reporting:**

a. Any person who intends to conduct treatment activities as described in subsections (B), (C), or (D) above after August 6, 2004 shall submit to the Department, by certified mail, with return receipt requested, a notification containing the information specified below no later than 30 days prior to treating or recycling any universal waste electronic devices. Small quantity handlers currently treating or recycling universal waste electronic devices shall submit this notification prior to July 7, 2004.

1. The small quantity universal waste electronic device handler's name and mailing address;

2. The name and business telephone number of the person at the small quantity universal waste electronic device handler's site who should be contacted regarding universal waste management activities;

3. The name, mailing address and telephone number of the owner of the facility;

4. A description of the type of universal waste electronic devices that will be treated;

5. A description of the treatment processes to be used;

6. Documentation that the facility operator has notified the facility property owner (if different from the operator of the facility) that the operator is conducting universal waste electronic device treatment or recycling operations at the facility.

b. A small quantity handler of universal waste electronic devices who conducts treatment activities as described in subsections (B), (C), or (D) above shall prepare and submit an annual report to the Department. The annual report shall be delivered by

certified mail, return receipt requested, to the Department by February 1 of each calendar year. The report shall be dated and signed according to the requirements of section 66270.11 as those requirements apply to permit applications, and shall include the following information for the previous calendar year:

1. The name, address, physical location and a description of the facility;
2. The mailing address of the business entity that owns and operates the facility;
3. The name, title and telephone number of the person at the facility who should be contacted regarding universal waste management activities at the facility;
4. The facility EPA Identification number, if required;
5. The number of days each facility operated;
6. The total quantity (count or weight) universal waste electronic devices (with their respective types or categories) treated or recycled by the handler during the previous year;
7. The treatment or recycling method used for each universal waste electronic device treated by the facility;
8. The final destination of universal waste electronic devices recycled.

**2. Containment of Residuals:** A small quantity handler of universal waste electronic devices who conducts treatment activities as described in subsections (B), (C), or (D) above shall manage all materials produced from the treatment of universal waste electronic devices in a manner that prevents a release of any universal waste electronic devices or any components thereof, as follows:

a. A small quantity handler of universal waste electronic devices shall conduct activities over or in a containment device (e.g., a tray, a box, a workbench, a table, or an enclosed machine) sufficient in size and construction to contain any materials that may be released.

b. A small quantity handler of universal waste electronic devices shall contain any residuals produced from universal waste electronic devices in a manner that prevents releases of hazardous residuals to the environment under reasonably foreseeable conditions.

c. A small quantity handler of universal waste shall immediately clean up and place in a container any universal waste electronic device that is broken and may reasonably be expected to cause a release. Such containers shall be structurally sound, compatible with the contents of the universal waste electronic devices and shall prevent releases under reasonably foreseeable conditions.

**3. Worker Safety:**

a. A small quantity handler of universal waste electronic devices who conducts treatment activities as described in subsections (B), (C), or (D) above shall be thoroughly familiar with the associated hazards and have access to the proper procedures and protective equipment necessary to safely conduct the treatment and to comply with the requirements of this section;

b. A small quantity handler of universal waste electronic devices who conducts treatment activities shall ensure that the facility is operated in compliance with all

applicable worker health and safety laws and regulations (i.e., California Code of Regulations, title 8).

4. **Zoning:** A small quantity handler of universal waste electronic devices who conducts treatment activities as described in subsections (B), (C), or (D) above shall ensure that the activities conducted at the facility are consistent with local zoning and land use requirements for that location.

5. **Management of Residuals:** A small quantity handler of universal waste electronic devices who conducts treatment activities as described in subsections (B), (C), or (D) above shall ensure that all materials produced as a result of the treatment processes are properly classified and managed in accordance with any applicable requirements of this division.

6. **Management Standards Applicable to Small Quantity Handlers Identified in Subsections (C) and (D):** A small quantity handler of universal waste electronic devices who conducts treatment activities as described in subsections (C) and (D) above shall:

a. Utilize only treatment methods that employ one or more of the following technologies:

1. Physical processes that change only the physical properties of the waste such as cutting, sawing, breaking, shredding, crushing, grinding, screening, sieving, acceleration, or compacting; and/or

2. Separation based on differences in physical properties such as size, color, density, or ferromagnetism.

3. If processes such as cutting, sawing, shredding, crushing, grinding, crushing, acceleration, or compacting are utilized, the handler shall ensure all mercury containing lamps and other components which contain fluids (i.e., liquids or gasses) that would be identified as hazardous waste are removed prior to processing.

4. A small quantity handler of universal waste electronic devices shall not process any universal waste electronic devices containing PCB ballasts, medical or biohazardous wastes, radioactive materials, reactive materials, or ignitable materials.

b. Ensure the treatment is conducted without the use or application of:

1. Chemicals, including water;

2. External heat.

c. Ensure that all hazardous wastes generated from treatment activities that are sent offsite for disposal are manifested in accordance with the applicable requirements of article 2 of chapter 12.

d. Ensure that all treatment residuals meeting the definition of scrap metal in section 66260.10 are recycled.

e. Not accept for treatment, any universal waste electronic devices that are managed, or are required to be managed, as hazardous waste under chapters 10 through 22 of this division unless authorized to do so under hazardous waste management permit or other grant of authorization.

f. Comply with the requirements of sections 66265.18 and 66265.25 of chapter 15 as those requirements apply to facility location and design standards.

g. Ensure that all treatment is conducted in compliance with all applicable local and state air pollution control laws and regulations.

h. Conduct treatment only for the purposes of recycling one or more types of universal waste electronic devices.

i. Maintain on file the documents specified in subparagraphs (i)(1) and (i)(2) at the facility by no later than 30 days prior to recycling or treating any universal waste electronic devices. The handler shall make these documents available upon demand at the facility to any representative of the Department, the U. S. EPA or a local governmental agency having jurisdiction over the facility. A copy of these documents shall be delivered in person or by certified mail, return receipt requested, to the Department when requested in writing. The written request from the Department shall specify the documents that are required, where and how to submit those documents and the date by which those documents shall be submitted.

1. A copy of the most recent notifications and reports submitted as required by subsection (F)(1).

2. A copy of any local air district permit and other permits required for the facility.

j. No later than 30 days after ceasing treatment or recycling activities at the facility, a small quantity handler of universal waste electronic devices shall submit to the Department, by certified mail, with return receipt requested, a notification containing the following information:

1. The date of the last day on which the handler conducted treatment or recycling activities;

2. The date of the last day on which the handler conducted handling activities at the facility, if applicable; and

3. The date the small quantity handler closed or vacated the facility, if applicable.

**7. Treatment Standards Applicable to Small Quantity Handlers Identified in Subsection (D).** A small quantity handler of universal waste electronic devices who conducts treatment activities other than manual disassembly or dismantling treatment as described in subsection (D) above shall:

a. No later than 30 days prior to initially recycling or treating any universal waste electronic devices, prepare and submit to the Department, by certified mail, with return receipt requested, an estimate of the cost of facility closure prepared pursuant to section 66265.142. The small quantity handler shall evaluate the estimate annually and adjust it to reflect changes in closing cost as appropriate.

b. No later than 30 days prior to initially recycling or treating any universal waste electronic devices, submit to the Department, by certified mail, with return receipt requested, documentation demonstrating financial assurance for closure pursuant to section 66265.143.

c. No later than 30 days prior to initially recycling or treating any universal waste electronic devices, submit to the Department, by certified mail, with return receipt

requested documentation demonstrating financial responsibility for liability pursuant to section 66265.147.

(e) ~~Universal waste mercury switches and thermometers.~~ **Universal Waste Mercury Switches and Thermometers.** A small quantity handler of universal waste shall manage universal waste mercury switches and thermometers in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(f) ~~Universal waste dental amalgam.~~ **Universal Waste Dental Amalgam.** A small quantity handler of universal waste shall manage universal waste dental amalgam in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(g) ~~Universal waste gauges.~~ **Universal Waste Gauges.** A small quantity handler of universal waste shall manage universal waste gauges in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(h) ~~Universal waste novelties.~~ **Universal Waste Novelties.** A small quantity handler of universal waste shall manage universal waste novelties in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(i) ~~Universal waste counterweights and dampers.~~ **Universal Waste Counterweights and Dampers.** A small quantity handler of universal waste shall manage universal waste counterweights and dampers in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(j) ~~Universal waste dilators and weighted tubing.~~ **Universal Waste Dilators and Weighted Tubing.** A small quantity handler of universal waste shall manage universal waste dilators and weighted tubing in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(k) ~~Universal waste rubber flooring.~~ **Universal Waste Rubber Flooring.** A small quantity handler of universal waste shall manage universal waste rubber flooring in a way that prevents releases of any universal waste or component of a universal waste to the environment.

(l) ~~Universal waste gas flow regulators.~~ **Universal Waste Gas Flow Regulators.** A small quantity handler of universal waste shall manage universal waste gas flow regulators in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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Note: Authority cited: Sections 25141, 25150, 25201, 25214.6, 25214.9, 25214.10.2, 25219.1, 25219.2 and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25214.6, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.13.

**Amend** §66273.14 to read:

**§66273.14. Labeling/Marking.**

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(d) Each ~~consumer~~ universal waste electronic device or a container or pallet package in or on which ~~consumer~~ universal waste electronic devices are contained, including containers or pallets that also contain devices that are not waste, shall be labeled or marked clearly with one of the following phrases: "Universal Waste—Consumer Electronic Device(s)" or "UW—Consumer-Electronic Device(s)."

(1) In lieu of labeling individual universal waste electronic devices or containers or pallets, a small quantity handler may accumulate universal waste electronic devices within a designated area demarcated by boundaries that are clearly labeled with one of the following phrases: "Universal Waste Electronic Device(s)" or "UW Electronic Device(s)."

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Note: Authority cited: Sections 25141, 25150, 25201, 25214.6, 25214.9, 25214.10.2, 25219.1 and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25212, 25214.6, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.14.



**Amend §66273.20 to read:**

**§66273.20. Exports.**

A small quantity handler of universal waste who sends universal waste, not including ~~consumer~~ universal waste electronic devices, to a foreign destination other than to those OECD countries specified in section 66262.58(a)(1) (in which case the handler is subject to the requirements of article 8 of chapter 12) shall:

(a) Comply with the requirements applicable to a primary exporter in section 66262.53, 66262.56(a) (1) through (4), (6), and (b) and 66262.57;

(b) Export such universal waste only upon consent of the receiving country and in conformance with the EPA Acknowledgement of Consent as defined in article 5 of chapter 12; and

(c) Provide a copy of the EPA Acknowledgment of Consent for the shipment to the transporter transporting the shipment for export.

(d) A small quantity handler of universal waste who sends ~~consumer~~ universal waste electronic devices to any foreign destination shall notify the Department and concurrently send a copy of that notification to the CUPA, or, if there is no CUPA, to the agency authorized pursuant to subdivision (f) of Health and Safety Code section 25404.3, of an intended export before such ~~consumer~~ universal waste electronic device is scheduled to leave the United States. A completed notification shall be submitted four weeks before the initial shipment is intended to be shipped offsite. This notification shall cover export activities extending over a twelve (12) month or lesser period.

(e) The notification submitted pursuant to subsection (d) of this section shall be in writing, signed by the universal waste handler, and include the following information:

(1) name, mailing address, and telephone number of the universal waste handler;

(2) the foreign destination, for each type of ~~consumer~~ universal waste electronic device:

(A) the amount of ~~consumer~~ universal waste electronic devices (by count or by weight);

(B) the estimated frequency or rate at which the ~~consumer~~ universal waste electronic device is to be exported and the period of time over which the ~~consumer~~ universal waste electronic device is to be exported;

(C) all points of entry to and departure from each foreign country through which the ~~consumer~~ universal waste electronic device will pass;

(D) a description of the means by which each shipment of ~~consumer~~ universal waste electronic devices will be recycled at the foreign destination; and

(E) the name and site address of the consignee or any alternate consignee.

(f) Notifications submitted under subsection (d) of this section shall be sent to the following address by certified mail, return receipt requested: Department of Toxic Substances Control, Hazardous Waste Management Program, State Regulatory and Programs Development Division, P.O. Box 806, Sacramento, CA 95812-0806, with

“Attention: Notification to Export Universal Waste Consumer Electronic Devices” prominently displayed on the front of the envelope.

(g) A person who exports covered electronic wastes shall also comply with the applicable export requirements of Public Resources Code, division 30, part 3, chapter 8.5.

Note: Authority cited: Sections 25141, 25150, 25150.2, 25150.6, 25201, 25214.9, 25214.10.2, 25219.1 and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; Section 42476.5, Public Resources Code and 40 CFR Section 273.20.

**Amend §66273.32 to read:**

**§66273.32. Notification.**

(a)(1) Except as provided in subsection (a)(2) and (a)(3) of this section, a large quantity handler of universal waste shall have sent written notification of universal waste management to the Regional Administrator, and received an EPA Identification Number, before meeting or exceeding the 5,000 kilogram ~~storage~~ accumulation limit.

(2) A large quantity handler of universal waste who has already notified the U.S. EPA of his hazardous waste management activities and has received an EPA Identification Number is not required to renotify under this section.

(3) A large quantity handler of universal waste who would otherwise be required by subsection (a)(1) to notify the Regional Administrator and obtain an EPA Identification Number is not required to do so if the following conditions are met:

(A) the total quantity of all universal wastes handled other than universal waste electronic devices does not meet or exceed the 5,000 Kg accumulation limit, and

(B) the large quantity handler has submitted the applicable notifications specified in this Article, and

(C) the large quantity handler ensures that all universal waste electronic devices handled are managed and recycled in accordance with this Article.

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Note: Authority cited: Sections 25141, 25150, 25201, 25214.9, 25214.10.2, 25219.1 and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.32.

**Amend §66273.33 to read:**

**§66273.33. Waste Management.**

(a) ~~Universal waste batteries.~~ **Universal Waste Batteries.** A large quantity handler of universal waste shall manage universal waste batteries in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(b) ~~Universal waste thermostats.~~ **Universal Waste Thermostats.** A large quantity handler of universal waste shall manage universal waste thermostats in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(c) ~~Lamps.~~ **Universal Waste Lamps.** A large quantity handler of universal waste shall manage lamps in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(d) ~~Consumer electronic devices.~~ **Universal Waste Electronic Devices.** A large quantity handler of universal waste shall manage ~~consumer~~ universal waste electronic devices in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

**(1) Containment:**

(A) ~~A large quantity handler of universal waste shall contain~~ handle any universal waste consumer electronic devices in a manner ~~containers or packages that are structurally sound, adequate to prevent breakage, and that minimizes breakage. compatible with the contents of the consumer electronic devices. If containers are used,~~ Such containers and packages shall prevent ~~lack evidence of leakage, spillage or damage that could cause leakage under reasonably be foreseen foreseeable conditions. Whole universal waste consumer electronic devices that are managed in a manner (e.g., stored in a room) that prevents breakage of the device and release of hazardous components of the device (e.g, shrink-wrapped on a pallet) shall be considered to comply with this requirement.~~

(2) ~~A large quantity handler of universal waste may disassemble a consumer electronic device provided the handler:~~

(A) ~~Removes only those discrete assemblies that are typically removed during the normal operation of the consumer electronic device, such as the removal and replacement of batteries or ink cartridges; and~~

(B) ~~Conducts the disassembly in the manner prescribed in the operating manual for the consumer electronic device, or that would otherwise be performed during the normal use of the consumer electronic device.~~

(B3) A large quantity handler of universal waste shall immediately clean up and place in a container any universal waste consumer-electronic device that is broken and may reasonably be expected to ~~and shall place in a container any consumer electronic device that shows evidence of breakage, leakage, or damage that could cause a~~ the release of hazardous constituents to the environment. Containers shall be closed, structurally sound, compatible with the contents of the universal waste consumer electronic devices and shall prevent ~~lack evidence of leakage, spillage or damage that could cause~~ releases of hazardous components to the environment under reasonably foreseeable conditions.

**(2) Notification and Reporting Requirements:**

**(A) Notification:** Any person who intends to handle any universal waste electronic devices from an offsite source after August 6, 2004 shall submit to the Department, by certified mail, with return receipt requested, a notification containing the information specified below no later than 30 days prior to accepting any universal waste electronic devices. Large quantity handlers currently handling universal waste electronic devices from offsite sources shall submit this notification prior to July 7, 2004.

1. Name of handler;
2. Telephone number of handler;
3. Type of handler for purposes of Public Resources Code, division 30, part 3, chapter 8.5 (i.e., collector, recycler, or dual entity);
4. Mailing address of handler, and physical address, including county, if different from the mailing address;
5. Name of the contact person;
6. Telephone number of the contact person;
7. An e-mail address for the contact person or organization, if available;
8. The types of universal waste electronic devices expected to be handled;
9. The sources of universal waste electronic devices (i.e., residential collections, business asset recovery, other collectors, etc.).

**(B) Annual Report.** A large quantity handler of universal waste electronic devices that accepts more than 100 kilograms or 220 pounds of universal waste electronic devices from any offsite source shall, by February 1 of each calendar year, commencing February 1, 2005, submit a written or electronic report containing the information specified below to the Department. The information submitted under this subsection shall cover universal waste electronic device handling activities during the previous calendar year.

1. Name of handler;
2. Telephone number of handler;
3. Mailing address of handler, and physical address, including county, if different from the mailing address;
4. Name of the contact person;
5. Telephone number of the contact person;
6. An e-mail address for the contact person or organization, if available;

- 7. The types of universal waste electronic devices handled;
- 8. The total quantity of universal waste electronic devices (count or weight) handled during the previous calendar year;
- 9. A list including the names, addresses, and phone numbers of each location that the large quantity handler shipped universal waste electronic devices to during the previous year and the total quantity of universal waste electronic devices (count or weight) shipped to each location.

(C) Electronic notifications and reports submitted under subsection (A) and (B) shall be submitted to [www.dtsc.ca.gov](http://www.dtsc.ca.gov).

(D) Written notifications and reports submitted under subsection (A) and (B) shall be submitted to the Department by certified mail, return receipt requested to: Department of Toxic Substances Control, Hazardous Waste Management Program, Regulatory and Program Development Division, P.O. Box 806, Sacramento, CA 95812-0806, with "Attention: UWED Handling Activities" prominently displayed on the front of the envelope.

(3) **Large Quantity Handler Standards:** A large quantity handler of universal waste electronic devices may treat or recycle the universal waste electronic devices (i.e., may conduct hazardous waste treatment) provided the handler complies with the applicable standards below:

(A) Notwithstanding subsections (B), (C), and (D) below, a large quantity handler of universal waste electronic devices may remove from the universal waste electronic devices any discrete assemblies which are typically removed during the normal operation of the universal waste electronic device, such as the removal and replacement of batteries or ink cartridges, provided the large quantity universal waste handler conducts the disassembly in the manner prescribed in the operating manual for the universal waste electronic device or that would otherwise be performed during the normal use of the universal waste electronic device.

(B) A large quantity handler of universal waste who recycles universal waste electronic devices by reclaiming components (e.g., circuit boards, integrated circuits, metals, plastic, wiring, batteries, lamps, etc.) from universal waste electronic devices through manual disassembly, dismantling, or otherwise manually segregating components from those devices for the purposes of directly reusing those components onsite without further processing, or sending those components offsite for direct reuse or further reclamation at another location shall comply with subsections (F)(1) through (F)(5) below.

(C) A large quantity handler of universal waste who recycles universal waste electronic devices (and their components) through the utilization of treatment processes other than manual disassembly for the purposes of directly reusing components onsite without further processing, sending components offsite for direct reuse, or sending components or treatment residuals offsite for further reclamation at another location, and whose recycling or treatment activities produces only hazardous residuals (including finely divided materials) that meet the definition of scrap metal in 66260.10, or

which are otherwise exempt from full regulation as hazardous waste, shall comply with subsections (F)(1) through (F)(6) below.

(D) A large quantity handler of universal waste who recycles universal waste electronic devices (and their components) through the utilization of treatment processes other than manual disassembly for the purposes of directly reusing components onsite without further processing, sending components offsite for direct reuse, or sending components or treatment residuals offsite for further reclamation at another location, and whose recycling or treatment processes produce any residuals (including baghouse and filter dusts) which exhibit any hazardous waste characteristic defined in chapter 11 and do not meet the definition of scrap metal in section 66260.10 (e.g., because they are fine powders or are contaminated with fine powders), or do not qualify for management as universal waste under this chapter shall comply with subsections (F)(1) through (F)(7) below.

(E) A large quantity handler of universal waste electronic devices who conducts treatment or recycling activities as described in subsections (A) through (D) above shall not be deemed to be operating pursuant to a permit-by-rule, conditional authorization, or conditional exemption.

(F) A large quantity handler of universal waste electronic devices who conducts treatment or recycling activities as described in subsections (B) through (D) shall comply with the following waste management standards, as applicable:

**1. Treatment/Recycling Notification and Reporting:**

a. Any person who intends to conduct treatment activities as described in subsections (B), (C), or (D) above after August 6, 2004 shall submit to the Department, by certified mail, with return receipt requested, a notification containing the information specified below no later than 30 days prior to treating or recycling any universal waste electronic devices. Large quantity handlers currently treating or recycling universal waste electronic devices shall submit this notification prior to July 7, 2004.

1. The large quantity universal waste electronic device handler's name and mailing address;

2. The name and business telephone number of the person at the large quantity universal waste electronic device handler's site who should be contacted regarding universal waste management activities;

3. The name, mailing address and telephone number of the owner of the facility;

4. A description of the type of universal waste electronic devices that will be treated;

5. A description of the treatment processes to be used;

6. Documentation that the facility operator has notified the facility property owner (if different from the operator of the facility) that the operator is conducting universal waste electronic device treatment or recycling operations at the facility.

b. A large quantity handler of universal waste electronic devices who conducts treatment activities as described in subsections (B), (C), or (D) above shall prepare and submit an annual report to the Department. The annual report shall be delivered by

certified mail, return receipt requested, to the Department by February 1 of each calendar year. The report shall be dated and signed according to the requirements of section 66270.11 as those requirements apply to permit applications, and shall include the following information for the previous calendar year:

1. The name, address, physical location and a description of the facility;
2. The mailing address of the business entity that owns and operates the facility;
3. The name, title and telephone number of the person at the facility who should be contacted regarding universal waste management activities at the facility;
4. The facility EPA Identification number, if required;
5. The number of days each facility operated;
6. The total quantity (count or weight) universal waste electronic devices (with their respective types or categories) treated or recycled by the handler during the previous year;
7. The treatment or recycling method used for each universal waste electronic device treated by the facility;
8. The final destination of universal waste electronic devices recycled.

**2. Containment of Residuals:** A large quantity handler of universal waste electronic devices who conducts treatment activities as described in subsections (B), (C), or (D) above shall manage all materials produced from the treatment of universal waste electronic devices in a manner that prevents a release of any universal waste electronic devices or any components thereof, as follows:

a. A large quantity handler of universal waste electronic devices shall conduct activities over or in a containment device (e.g., a tray, a box, a workbench, a table, or an enclosed machine) sufficient in size and construction to contain any materials that may be released.

b. A large quantity handler of universal waste electronic devices shall contain any residuals produced from universal waste electronic devices in a manner that prevents releases of hazardous residuals to the environment under reasonably foreseeable conditions.

c. A large quantity handler of universal waste shall immediately clean up and place in a container any universal waste electronic device that is broken and may reasonably be expected to cause a release. Such containers shall be structurally sound, compatible with the contents of the universal waste electronic devices and shall prevent releases under reasonably foreseeable conditions.

**3. Worker Safety:**

a. A large quantity handler of universal waste electronic devices who conducts treatment activities as described in subsections (B), (C), or (D) above shall be thoroughly familiar with the associated hazards and have access to the proper procedures and protective equipment necessary to safely conduct the treatment and to comply with the requirements of this section;

b. A large quantity handler of universal waste electronic devices who conducts treatment activities shall ensure that the facility is operated in compliance with all



applicable worker health and safety laws and regulations (i.e., California Code of Regulations, title 8).

4. **Zoning:** A large quantity handler of universal waste electronic devices who conducts treatment activities as described in subsections (B), (C), or (D) above shall ensure that the activities conducted at the facility are consistent with local zoning and land use requirements for that location.

5. **Management of Residuals:** A large quantity handler of universal waste electronic devices who conducts treatment activities as described in subsections (B), (C), or (D) above shall ensure that all materials produced as a result of the treatment processes are properly classified and managed in accordance with any applicable requirements of this division.

6. **Management Standards Applicable to Large Quantity Handlers Identified in Subsections (C) and (D):** A large quantity handler of universal waste electronic devices who conducts treatment activities as described in subsections (C) and (D) above shall:

a. Utilize only treatment methods that employ one or more of the following technologies:

1. Physical processes that change only the physical properties of the waste such as cutting, sawing, breaking, shredding, crushing, grinding, screening, sieving, acceleration, or compacting; and/or

2. Separation based on differences in physical properties such as size, color, density, or ferromagnetism.

3. If processes such as cutting, sawing, shredding, crushing, grinding, crushing, acceleration, or compacting are utilized, the handler shall ensure all mercury containing lamps and other components which contain fluids (i.e., liquids or gasses) that would be identified as hazardous waste are removed prior to processing.

4. A large quantity handler of universal waste electronic devices shall not process any universal waste electronic devices containing PCB ballasts, medical or biohazardous wastes, radioactive materials, reactive materials, or ignitable materials.

b. Ensure the treatment is conducted without the use or application of:

1. Chemicals, including water;

2. External heat.

c. Ensure that all hazardous wastes generated from treatment activities that are sent offsite for disposal are manifested in accordance with the applicable requirements of article 2 of chapter 12.

d. Ensure that all treatment residuals meeting the definition of scrap metal in section 66260.10 are recycled.

e. Not accept for treatment, any universal waste electronic devices that are managed, or are required to be managed, as hazardous waste under chapters 10 through 22 of this division unless authorized to do so under hazardous waste management permit or other grant of authorization.

f. Comply with the requirements of sections 66265.18 and 66265.25 of chapter 15 as those requirements apply to facility location and design standards.

g. Ensure that all treatment is conducted in compliance with all applicable local and state air pollution control laws and regulations.

h. Conduct treatment only for the purposes of recycling one or more types of universal waste electronic devices.

i. Maintain on file the documents specified in subparagraphs (i)(1) and (i)(2) at the facility by no later than 30 days prior to recycling or treating any universal waste electronic devices. The handler shall make these documents available upon demand at the facility to any representative of the Department, the U. S. EPA or a local governmental agency having jurisdiction over the facility. A copy of these documents shall be delivered in person or by certified mail, return receipt requested, to the Department when requested in writing. The written request from the Department shall specify the documents that are required, where and how to submit those documents and the date by which those documents shall be submitted.

1. A copy of the most recent notifications and reports submitted as required by subsection (F)(1).

2. A copy of any local air district permit and other permits required for the facility.

j. No later than 30 days after ceasing treatment or recycling activities at the facility, a large quantity handler of universal waste electronic devices shall submit to the Department, by certified mail, with return receipt requested, a notification containing the following information:

1. The date of the last day on which the handler conducted treatment or recycling activities;

2. The date of the last day on which the handler conducted handling activities at the facility, if applicable; and

3. The date the large quantity handler closed or vacated the facility, if applicable.

**7. Treatment Standards Applicable to Large Quantity Handlers Identified in Subsection (D).** A large quantity handler of universal waste electronic devices who conducts treatment activities other than manual disassembly or dismantling treatment as described in subsection (D) above shall:

a. No later than 30 days prior to initially recycling or treating any universal waste electronic devices, prepare and submit to the Department, by certified mail, with return receipt requested, an estimate of the cost of facility closure prepared pursuant to section 66265.142. The large quantity handler shall evaluate the estimate annually and adjust it to reflect changes in closing cost as appropriate.

b. No later than 30 days prior to initially recycling or treating any universal waste electronic devices, submit to the Department, by certified mail, with return receipt requested, documentation demonstrating financial assurance for closure pursuant to section 66265.143.

c. No later than 30 days prior to initially recycling or treating any universal waste electronic devices, submit to the Department, by certified mail, with return receipt

requested documentation demonstrating financial responsibility for liability pursuant to section 66265.147.

(e) ~~Universal waste mercury switches and thermometers.~~ **Universal Waste Mercury Switches and Thermometers.** A large quantity handler of universal waste shall manage universal waste mercury switches and thermometers in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(f) ~~Universal waste dental amalgam.~~ **Universal Waste Dental Amalgam.** A large quantity handler of universal waste shall manage universal waste dental amalgam in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(g) ~~Universal waste gauges.~~ **Universal Waste Gauges.** A large quantity handler of universal waste shall manage universal waste gauges in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(h) ~~Universal waste novelties.~~ **Universal Waste Novelties.** A large quantity handler of universal waste shall manage universal waste novelties in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

\*\*\*

(i) ~~Universal waste counterweights and dampers.~~ **Universal Waste Counterweights and Dampers.** A large quantity handler of universal waste shall manage universal waste counterweights and dampers in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(j) ~~Universal waste dilators and weighted tubing.~~ **Universal Waste Dilators and Weighted Tubing.** A large quantity handler of universal waste shall manage universal waste dilators and weighted tubing in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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(k) ~~Universal waste rubber flooring.~~ **Universal Waste Rubber Flooring.** A large quantity handler of universal waste shall manage universal waste rubber flooring in a way that prevents releases of any universal waste or component of a universal waste to the environment.

(l) ~~Universal waste gas flow regulators.~~ **Universal Waste Gas Flow Regulators.** A large quantity handler of universal waste shall manage universal waste gas flow regulators in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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Note: Authority cited: Sections 25141, 25150, 25201, 25214.6, 25214.9, 25214.10.2, 25219.1 and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25212, 25214.6, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.33.

**Amend** §66273.34 to read:

**§66273.34. Labeling/Marking.**

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(d) Each ~~consumer~~ universal waste electronic device or a container or pallet package in or on which ~~consumer~~ universal waste electronic devices are contained, including containers or pallets that also contain devices that are not waste, shall be labeled or marked clearly with one of the following phrases: "Universal Waste—Consumer Electronic Device(s)" or "UW—Consumer Electronic Device(s)."

(1) In lieu of labeling individual universal waste electronic devices or containers or pallets, a large quantity handler may accumulate universal waste electronic devices within a designated area demarcated by boundaries that are clearly labeled with one of the following phrases: "Universal Waste Electronic Device(s)" or "UW Electronic Device(s)."

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Note: Authority cited: Sections 25141, 25150, 25201, 25214.6, 25214.9, 25214.10.2, 25219.1 and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25212, 25214.6, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.34.

**Amend** §66273.40 to read:

**§66273.40. Exports.**

A large quantity handler of universal waste who sends universal waste, not including ~~consumer~~ universal waste electronic devices, to a foreign destination other than to those OECD countries specified in section 66262.58(a)(1) (in which case the handler is subject to the requirements of article 8 of chapter 12) shall:

(a) Comply with the requirements applicable to a primary exporter in section 66262.53, 66262.56(a) (1) through (4), (6), and (b) and 66262.57;

(b) Export such universal waste only upon consent of the receiving country and in conformance with the EPA Acknowledgement of Consent as defined in article 5 of chapter 12; and

(c) Provide a copy of the EPA Acknowledgment of Consent for the shipment to the transporter transporting the shipment for export.

(d) A large quantity handler of universal waste who sends ~~consumer~~ universal waste electronic devices to any foreign destination shall notify the Department and concurrently send a copy of that notification to the CUPA, or, if there is no CUPA, to the agency authorized pursuant to subdivision (f) of Health and Safety Code section 25404.3, of an intended export before such ~~consumer~~ universal waste electronic device is scheduled to leave the United States. A completed notification shall be submitted four weeks before the initial shipment is intended to be shipped offsite. This notification shall cover export activities extending over a twelve (12) month or lesser period.

(e) The notification submitted pursuant to subsection (d) of this section shall be in writing, signed by the universal waste handler, and include the following information:

(1) name, mailing address, and telephone number of the universal waste handler;

(2) the foreign destination, for each type of ~~consumer~~ universal waste electronic device:

(A) the amount of ~~consumer~~ universal waste electronic devices (by count or by weight);

(B) the estimated frequency or rate at which the ~~consumer~~ universal waste electronic device is to be exported and the period of time over which the ~~consumer~~ universal waste electronic device is to be exported;

(C) all points of entry to and departure from each foreign country through which the ~~consumer~~ universal waste electronic device will pass;

(D) a description of the means by which each shipment of ~~consumer~~ universal waste electronic devices will be recycled at the foreign destination; and

(E) the name and site address of the consignee or any alternate consignee.

(f) Notifications submitted under subsection (d) of this section shall be sent to the following address by certified mail, return receipt requested: Department of Toxic Substances Control, Hazardous Waste Management Program, State Regulatory and Programs Development Division, P.O. Box 806, Sacramento, CA 95812-0806, with

“Attention: Notification to Export ~~Universal Waste Consumer~~-Electronic Devices” prominently displayed on the front of the envelope.

(g) A person who exports covered electronic wastes shall also comply with the applicable export requirements of Public Resources Code, division 30, part 3, chapter 8.5.

Note: Authority cited: Sections 25141, 25150, 25150.2, 25150.6, 25201, 25214.9, 25214.10.2, 25219.1 and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; Section 42476.5, Public Resources Code and 40 CFR Section 273.40.

**Amend** §66273.51 to read:

**§66273.51. Prohibitions.**

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(c) Prohibited from transporting more than five CRTs and CRT devices at any one time unless the CRT materials are contained as described in subsection 66273.83(a)(1).

(d) Prohibited from transporting more than 100 kilograms or 220 pounds of universal waste electronic devices at any one time unless the universal waste electronic devices are contained as described in subsection 66273.13(d)(1) or 66273.33(d)(1).

Note: Authority cited: Sections 25141, 25150, 25150.6, 25201, 25214.9, 25214.10.2, 25219.1 and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.51.



**Amend** §66273.53 to read:

**§66273.53. Storage Time Limits.**

(a) A universal waste transporter or a CRT material transporter may only store the universal waste or CRT materials at a universal waste transfer facility for ten days or less in an area zoned “industrial” and for six days or less in all other areas.

(b) If a universal waste transporter or a CRT material transporter stores universal waste or CRT material for more than ten days in an area zoned “industrial” or for more than six days in any other area, the transporter becomes a universal waste handler or a CRT material handler and shall comply with the applicable requirements of article 2 or 3 or 7 of this chapter while storing the universal waste.

Note: Authority cited: Sections 25141, 25150, 25214.9, 25214.10.2, 25219.1 and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code.

Reference: Sections 25141, 25150, 25159.5, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.53.

**Amend** §66273.56 to read:

**§66273.56. Exports.**

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(b) The shipment is delivered to the facility designated by the person initiating the shipment.

(c) A person who exports covered electronic wastes shall also comply with the applicable export requirements of Public Resources Code, division 30, part 3, chapter 8.5.

Note: Authority cited: Sections 25141, 25150, 25150.2, 25150.6, 25201, 25214.9, 25214.10.2, 25219.1 and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25214.9, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.56.

**Amend** §66273.82 to read:

**§66273.82. Notification and Reporting Requirements for CRT Material Handlers.**

(a) **Notification:** A CRT material handler who intends to handle any CRT materials from any offsite source shall notify the Department at least 30 days prior to accepting any CRT materials. This notification shall include the information specified below.

- (1) Name of CRT material handler;
- (2) Telephone number of CRT material handler;
- (3) Type of handler for purposes of Public Resources Code, division 30, part 3, chapter 8.5 (collector, recycler, dual entity);
- (4) Mailing address of CRT material handler, and physical address if different;
- (5) Name of the contact person
- (6) Telephone number of the contact person;
- (7) An e-mail address of the contact person or organization, if available.
- (8) The types of CRT materials expected to be handled;
- (9) The sources of CRT materials (i.e., residential collections, business asset recovery, other collectors, etc.).

**(b) Annual Report**

(a1) A CRT material handler that accepts five or less CRTs, five or less CRT devices, or 100 kilograms or less of CRT glass per calendar year from offsite sources is not required to ~~notify~~ submit an annual report to the Department of ~~for those~~ universal waste handling activities.

(b2) A CRT material handler that accepts more than five CRTs or more than five CRT devices or more than 100 kilograms of CRT glass per calendar year from any offsite source shall, by February 1 of each calendar year, ~~commencing February 1, 2004,~~ submit a written or electronic notification annual report containing the information specified in subsection ~~paragraph~~ (d4) to the Department. ~~For written notifications, the notification shall be submitted by certified mail, return receipt.~~ The information submitted under this subsection shall cover CRT material handling activities during the previous calendar year.

(c3) A CRT material handler that generates 5,000 kilograms (about 200 CRTs) or more of CRT material (CRTs, CRT devices and CRT glass calculated collectively) per calendar year shall, by February 1 of each calendar year, ~~commencing with February 1, 2004,~~ submit a written or electronic notification annual report containing the information specified in subsection ~~paragraph~~ (d4) to the Department. ~~For written notifications, the notification shall be submitted by certified mail, return receipt.~~ The information submitted under this subsection shall cover CRT material handling activities during the previous calendar year.

(d4) This ~~notification~~ annual report shall include:

- (4A) The CRT material handler's name and mailing address;

(2B) The name and business telephone number of the person at the CRT material handler's site who should be contacted regarding universal waste management activities;

(3C) The address or physical location including the county of the CRT material management activities;

(4D) The total quantity of CRTs (count), the total quantity of CRT devices (count) and the total quantity of CRT glass (weight) handled during the previous year;

(5E) A list including the names, addresses, and phone numbers of each location that the handler shipped CRTs to during the previous year and the total quantity of CRTs (count) shipped to each location;

(6F) A list including the names, addresses, and phone numbers of each location that the handler shipped CRT devices to during the previous year and the total quantity of CRT devices (count) shipped to each location;

(7G) A list including the names, addresses, and phone numbers of each location that the handler shipped CRT glass to during the previous year and the total quantity of CRT glass (weight) shipped to each location.

(ec) Whenever necessary, handlers who use mass based inventory systems may convert mass data to count data through application of an appropriate conversion factor (e.g., 30 pounds per CRT) to fulfill this notification requirement. Handlers who perform data conversions shall indicate that the count data was derived from mass data and shall include the conversion factor(s) used in their notification.

(fd) Written notifications and reports shall be submitted to the Department by certified mail, return receipt requested to: ~~Notifications submitted under this section by mail shall be sent to the following address:~~ Department of Toxic Substances Control, Hazardous Waste Management Program, State Regulatory and Programs Development Division, P.O. Box 806, Sacramento, CA 95812-0806, with "Attention: ~~Notification of~~ CRT Materials Handling Activities" prominently displayed on the front of the envelope.

(ge) Electronic nNotifications submitted under this section ~~electronically~~ shall be submitted to www.dtsc.ca.gov.

Note: Authority cited: Sections 25141, 25150, 25150.6, 25201, 25214.9, 25214.10.2, and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, ~~and 25159.5,~~ 25201 and 25214.9, Health and Safety Code.

**Amend §66273.83 to read:**

**§66273.83. Waste Management.**

(a) Containment.

A CRT material handler shall manage CRT materials in a manner that prevents release of any CRT material or component of a CRT material to the environment, as follows:

(1) A CRT material handler shall contain any CRT materials in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the container (CRTs, CRT devices and CRT glass). Such containers and packages shall lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions. A CRT material handler who manages whole CRT devices in a manner that prevents breakage of the CRT and release of CRT glass (e.g., shrink-wrapped on a pallet) shall be considered to comply with this requirement.

(2) A CRT material handler shall immediately clean up and place in a container any CRTs, CRT devices and CRT glass that is broken and shall place in a container any CRTs, CRT devices and CRT glass that shows evidence of breakage, leakage, or damage that could cause the release of lead or other hazardous constituents to the environment. Containers shall be structurally sound, and compatible with the contents of the container (CRTs, CRT devices and CRT glass) and shall lack evidence of leakage, spillage or damage that could cause the release of glass or other hazardous constituents to the environment under reasonably foreseeable conditions.

(b) CRT removal.

(1) A CRT material handler may remove CRTs from CRT devices provided the handler:

(A) Removes the CRTs in a manner designed to prevent breakage of the CRTs;

(B) Removes the CRTs only over or in a containment device (e.g., a tray, a box, or an enclosed machine) sufficient in size and construction to contain any CRT glass that may be released in the event of breakage;

(C) Ensures that persons removing CRTs are thoroughly familiar with the techniques and safety precautions required to safely remove CRTs (e.g., releasing the vacuum, discharging the tube);

(D) Packages the removed CRTs in a container with sufficient packing materials to prevent breakage during handling, storage and transportation.

(2) A CRT material handler who removes CRTs from CRT devices shall determine whether any of the remaining portion of the CRT device or any other waste generated during the removal process exhibits any characteristic of a hazardous waste identified in article 3 of chapter 11 and, if so, shall manage the hazardous waste in compliance with all applicable requirements of this division.

(c) Yoke removal.

A CRT material handler may treat or recycle CRTs (conduct yoke removal) provided the handler:

(1) Does not break the CRT glass.

(2)(A) Submits a notification to the Department pursuant to subparagraphs 1 and

2.

1. For a facility that treats or recycles CRT material by yoke removal, the CRT material handler at that facility shall submit to the Department, by certified mail, with return receipt requested, a notification containing the information specified in subparagraph 2 no later than 30 days prior to treating or recycling any CRT material.

2. This notification shall include:

a. The information specified in subsections 66273.82(b)(4)(A), (b)(4)(B), and (b)(4)(C);

b. The name, mailing address and telephone number of the owner of the facility;

c. A description of the type of CRT material treated (CRTs or CRT devices);

d. A description of the treatment processes used;

e. Documentation that the facility operator has notified the facility property owner (if different from the operator of the facility) that the operator is conducting CRT waste treatment or recycling operations at the facility;

(B) Completes, signs and dates the notification required by this paragraph in accordance with the requirements of section 66270.11 as those requirements apply to permit applications;

(3) Maintains on file the documents specified in subparagraphs (3)(A) and (3)(B) at the facility by no later than 30 days prior to recycling or treating any CRT material. The CRT material handler shall make these documents available upon demand at the facility to any representative of the Department, the U. S. EPA or a local governmental agency having jurisdiction over the facility. A copy of these documents shall be delivered in person or by certified mail, return receipt requested, to the Department when requested in writing. The written request from the Department shall specify the documents that are required, where and how to submit those documents and the date by which those documents shall be submitted.

(A) A copy of the most recent notification submitted as required by subsection (c).

(B) A copy of any local air district permit and other permits required for the facility.

(4) Prepares and submits annual report to the Department. The annual report shall be delivered by certified mail, return receipt requested, to the Department by February 1 of each calendar year. The report shall be dated and signed according to the requirements of section 66270.11 as those requirements apply to permit applications, and shall include the following information for each CRT material handler who treated CRT materials during the previous calendar year:

(A) The name, address, physical location and a description of the facility;

(B) The mailing address of the business entity that owns and operates the facility;

(C) The name, title and telephone number of the person at the facility who should be contacted regarding universal waste management activities at the facility;

(D) The facility EPA Identification number, if required;

(E) The number of days each facility operated;

(F) The total quantity (count or weight) of CRTs treated or recycled by the handler during the previous year;

(G) A list including the names, addresses, and phone numbers of each location to which the handler shipped CRTs and yokes to during the previous year and the total quantity of CRTs and yokes (weight) shipped to each location;

(H) The treatment or recycling method used for each CRT material treated by the facility;

(5) Does not accept any CRTs or CRT devices that are managed, or are required to be managed, as hazardous waste under chapters 10 through 22 of this division;

(6) Conducts the treatment for the purpose of recycling the CRTs or the CRT devices and the CRTs or CRT devices are transported to an authorized destination facility;

(7) Ensures all treatment is conducted over or in a containment device (e.g., a tray, box, workbench, table or enclosed machine) sufficient in size and construction to contain any CRT glass that may accidentally be released during yoke removal;

(8) Utilizes only treatment methods that employ mechanical removal of the yoke;

(9) Ensures the treatment is conducted without the use or application of heat or chemicals, including water;

(10) Ensures that all persons that perform treatment or recycling are thoroughly familiar with the associated hazards and have access to the proper procedures and protective equipment necessary to safely conduct the treatment and to comply with the requirements of this section;

(11) Ensures that the facility is operated in compliance with all applicable local and state air pollution control laws and regulations;

(12) Ensures that the facility is operated in compliance with all applicable worker health and safety laws and regulations [i.e., California Code of Regulations, title 8];

(13) Ensures that all materials generated as a result of the treatment processes are properly classified and managed in accordance with the applicable requirements of this division;

(14) Ensures that the activities conducted at the facility are consistent with local zoning or land use requirements for that site;

(15) Maintains compliance with the requirements of sections 66265.18 and 66265.25 of chapter 15 as those requirements apply to facility location and design standards.

(ed) CRT material treatment and recycling.

A CRT material handler may treat or recycle CRTs, CRT devices or CRT glass provided the handler:

(1)(A) Submits notifications to the Department pursuant to subparagraphs 1 and 3.

1. For a facility that treats or recycles CRT material, the CRT material handler at that facility shall submit to the Department, by certified mail, with return receipt requested, a notification containing the information specified in subparagraph 2 no later than 30 days prior to treating or recycling any CRT material.

2. This notification shall include:

- a. The information specified in subsections 66273.82(b)(4)(A), (b)(4)(B), and (b)(4)(C);
- b. The name, mailing address and telephone number of the owner of the facility;
- c. A description of the type of CRT material treated;
- d. A description of the treatment processes used;
- e. Documentation that the facility operator has notified the facility property owner (if different from the operator of the facility) that the operator is conducting CRT waste treatment or recycling operations at the facility;

3. For a facility that treated or recycled CRT material pursuant to this subsection, the CRT material handler at that facility shall submit to the Department, by certified mail, with return receipt requested, a notification containing the information specified in subparagraph 4 no later than 30 days prior to ceasing treatment or recycling activities at the facility, and shall submit to the Department, by certified mail, with return receipt requested, a notification containing the information specified in subparagraph 5 no later than 30 days after ceasing treatment or recycling activities at the facility.

4. This notification shall include:

- a. The date when the CRT material handler expects to complete CRT material treatment or recycling activities;
- b. The date when the CRT material handler expects to complete CRT material handling activities at the facility, if applicable; and
- c. The date when the CRT material handler expects to close or vacate the facility.

5. This notification shall include:

- a. The date of the last day on which the CRT material handler conducted CRT material treatment or recycling activities;
- b. The date of the last day on which the CRT material handler conducted CRT material handling activities at the facility, if applicable; and
- c. The date the CRT material handler closed or vacated the facility.

(B) Completes, signs and dates each notification required by this paragraph in accordance with the requirements of section 66270.11 as those requirements apply to permit applications;

~~(2) Prepares and maintains records of~~ Submits to the Department, by certified mail, with return receipt requested, a cost estimate for closure pursuant to section 66265.142 by no later than 30 days prior to recycling or treating any CRT material;



(3) Submits to the Department, by certified mail, with return receipt requested, documentation demonstrating financial assurance for closure pursuant to section 66265.143 no later than 30 days prior to recycling or treating any CRT material;

(4) Submits to the Department, by certified mail, with return receipt requested, documentation demonstrating financial responsibility for liability pursuant to section 66265.147 no later than 30 days prior to recycling or treating any CRT material;

(5) ~~Prepares and m~~Maintains on file the documents specified in subparagraphs (5)(A) and (5)(B) at the facility by no later than 30 days prior to recycling or treating any CRT material. The CRT material handler shall make these documents available upon demand at the facility to any representative of the Department, the U. S. EPA or a local governmental agency having jurisdiction over the facility. A copy of these documents shall be delivered in person or by certified mail, return receipt requested, to the Department when requested in writing. The written request from the Department shall specify the documents that are required, where and how to submit those documents and the date by which those documents shall be submitted.

(A) A copy of the most recent notification submitted as required by subsection (ed).

(B) A copy of any local air district permit and other permits required for the facility.

(6) Prepares and submits annual report to the Department. The annual report shall be delivered by certified mail, return receipt requested, to the Department by February 1 of each calendar year. The report shall be dated and signed according to the requirements of section 66270.11 as those requirements apply to permit applications, and shall include the following information for each CRT material handler who treated CRT materials during the previous calendar year:

(A) The name, address, physical location and a description of the facility;

(B) The mailing address of the business entity that owns and operates the facility;

(C) The name, title and telephone number of the person at the facility who should be contacted regarding universal waste management activities at the facility;

(D) The facility EPA Identification number, if required;

(E) The number of days each facility operated;

(F) The total quantity (count or weight) of CRT devices treated or recycled by the handler during the previous year;

(G) The total quantity (count or weight) of CRTs treated or recycled by the handler during the previous year;

(H) A list including the names, addresses, and phone numbers of each location to which the handler shipped CRT glass to during the previous year and the total quantity of CRT glass (weight) shipped to each location;

(I) The treatment or recycling method used for each CRT material treated by the facility;

(7) Does not accept any CRTs, CRT devices or CRT glass that are managed, or are required to be managed, as hazardous waste under chapters 10 through 22 of this division;

(8) Conducts the treatment for the purpose of recycling one or more types of CRT glass and the CRT glass is reclaimed at a CRT glass manufacturer or at a primary or secondary lead smelter;

(9) Ensures all treatment is conducted over or in a containment device (e.g., a tray, box or enclosed machine) sufficient in size and construction to contain any CRT glass that may be released;

(10) Utilizes only treatment methods that employ one or more of the following technologies:

(A) physical processes that change only the physical properties of the waste such as cutting, sawing, breaking, shredding, crushing, or compacting; and/or

(B) separation based on differences in physical properties such as size, color, or density; and/or

(C) screening to separate components based on size;

(11) Ensures the treatment is conducted without the use or application of:

(A) chemicals, including water, other than recirculated coolant used in CRT cutting machines; or

(B) external heat, other than the use of a pinpoint torch to thermally check (crack) the CRT glass for separation;

(12) Ensures that all persons that perform treatment or recycling are thoroughly familiar with the associated hazards and have access to the proper procedures and protective equipment necessary to safely conduct the treatment and to comply with the requirements of this section;

(13) Ensures that the facility is operated in compliance with all applicable local and state air pollution control laws and regulations.

(14) Ensures that the facility is operated in compliance with all applicable worker health and safety laws and regulations [i.e., California Code of Regulations, title 8, subchapter 7 (General Industry Safety Orders), group 16 (Control of Hazardous Substances), article 107 (Dusts, Fumes, Vapors and Mists) and article 109 (Hazardous Substances and Processes), and section 5198 (Lead)].

(15) Ensures that all materials generated as a result of the treatment processes are properly classified and managed in accordance with the applicable requirements of this division.

(16) Ensures that the activities conducted at the facility are consistent with local zoning or land use requirements for that site.

(17) Maintains compliance with the requirements of sections 66265.18 and 66265.25 of chapter 15 as those requirements apply to facility location and design standards.

(~~d~~e) A handler that treats or recycles CRT materials pursuant to subsections (c) and (d) of this section shall not be deemed to be operating pursuant to a permit-by-rule, conditional authorization, or conditional exemption.

Note: Authority cited: Sections 25141, 25150, 25150.6, 25201, 25214.9, 25214.10.2, and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150 and 25159.5, 25201, 25214.9, Health and Safety Code.

**Amend** §66273.90 to read:

**§66273.90. Exports.**

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(c) Notifications submitted under this section shall be sent to the following address by certified mail, return receipt requested: Department of Toxic Substances Control, Hazardous Waste Management Program, ~~State~~ Regulatory and Programs Development Division, P.O. Box 806, Sacramento, CA 95812-0806, with "Attention: Notification to Export CRT Materials" prominently displayed on the front of the envelope.

(d) A person who exports covered electronic wastes shall also comply with the applicable export requirements of Public Resources Code, division 30, part 3, chapter 8.5.

Note: Authority cited: Sections 25141, 25150, 25150.2, 25150.6, 25201, 25214.9, 25214.10.2, and 58012, Health and Safety Code and Sections 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25141, 25150, and 25159.5, 25201 and 25214.9, Health and Safety Code and Section 42476.5, Public Resources Code.